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April 13, 2006

Via CM/ECF Filing

The Honorable Gregory M. Sleet
United States District Court
District of Delaware
844 King Street
Wilmington, DE 19801

RE: **Price, et al. v. Chaffinch, et al.**, C.A. No. 04-956-GMS
Foraker v. Chaffinch, et al., C.A. No. 04-1207-GMS
Independent Expert Computer Forensic Consultants

Dear Judge Sleet:

Due to the time sensitive nature of this issue with a trial date looming, and in accord with the Court's Order of April 12, 2006, plaintiffs respectfully submit the following names of two independent expert computer forensic consultants to aid the Court in its analysis of the spoliation of evidence issues presently before it.¹

Mr. Warren Kruse
Computer Forensic Services, LLC
1 Industrial Way West, Bld. B
Eatontown, NJ 07724
732-544-8080, ext. 11 (office)
wgkruse@computer-forensic.com
<http://www.computer-forensic.com>

¹ Plaintiffs note that defendants have previously represented in writing that they are unable to even find the hard drive that is at the center of this issue. (See A75 - D.I. 89 in the Price action - in response to a discovery request for Chaffinch's hard drive itself, noting that in addition to being wiped, the drive has been "reassigned to an unknown user" and thus cannot be found).

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In addition to an extensive career throughout the globe working on computer forensics issues, Mr. Kruse also has written and taught extensively on the same topic. He was the recent 2005 President of the High Technology Crime Investigation Association. His full resume can be found at the following web address: <http://www.computer-forensic.com/kruse.html>.

Mr. Alan J. Garretson
Garretson Consulting, Inc.
621 Kerns Mountain Lane
New Market, VA 22814-3255
ajg@shentel.net
540-740-8373 (office)
703-867-8373 (cell)

Mr. Garretson is a retired FBI Computer Forensic Examiner who, following his career with the FBI, opened his own computer forensic consulting firm. One of the many cases he is currently working on is the class action civil rights case against Walmart. I note that Mr. Garretson is expected to be working in Arkansas beginning April 17th and for two weeks thereafter. He can still be reached by cell-phone and has indicated that he would be able to do the examination if the proper computer hard drive "image" is sent to him per proper forensic norms.

Lastly, to the best of plaintiffs' knowledge, defendant Chaffinch did not work with either of these experts or their companies when he served as the Information Technology Major for the Delaware State Police, in charge of all IT and computer issues for the Division.

Respectfully submitted,

/s/ Stephen J. Neuberger

Attorney for Plaintiffs

cc: Thomas S. Neuberger, Esq. (via CM/ECF)
Martin D. Haverly, Esq. (via CM/ECF)
Richard M. Donaldson (via CM/ECF)